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June 27, 2011

The Honorable Joseph C. Spero
Courtroom G, 15th Floor
Federal Building
450 Golden Gate Avenue
San Francisco, California 94102

Re: *Moeller v. Taco Bell Corp.*, Case No. 02-5849 PJH JL

Dear Judge Spero:

Pursuant to your June 17, 2011 Notice of Settlement Conference and Settlement Conference (ADA Case), I write to request leave for Ed Muegge, a class representative in this case, to participate in the July 6th Settlement Conference by telephone rather than in person.

Mr. Muegge is one of four representative plaintiffs in this certified disability-access class action. Mr. Muegge now lives in Hawaii. Because of his disability, it is difficult for Mr. Muegge to make multiple trips to California in a short period of time. He recently returned from a trip to California, which he took to be seen by a medical provider at the Veterans' Administration. He was exhausted after that trip, and it would be a substantial hardship for him to return to California for the Settlement Conference. If this request is granted, Mr. Muegge will be available by telephone. The other three representative plaintiffs will personally attend the Settlement Conference.

Plaintiffs have copied Defendant's counsel on this letter.

We look forward to meeting with you on July 6th.

The Honorable Joseph C. Spero

June 27, 2011

Page 2

Sincerely,

FOX & ROBERTSON, P.C.

/s/

Timothy P. Fox

cc: Co-counsel (by email)
Greg Hurley, Esq. (by email)
Richard Hikida, Esq. (by email)

Dated: June 28, 2011

